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HUMAN RIGHTS QUESTIONS

Letter dated 3 September 1993 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General

I have the honour to transmit, in an annex to this note, the texts of the legal provisions issued since 5 April 1992 1/ which constitute the legal framework of the pacification policy which the Government of Peru is currently carrying out in its campaign against terrorism.

These legal provisions are as follows:

(a) Decree Law 25475 (6 April 1992): increases the penalties laid down for the crime of terrorism, establishing life imprisonment. Also modifies procedures, shortening time-limits and requiring that, in future, trials will be conducted in prisons, before anonymous courts;

(b) Decree Law 25499 (16 May 1992): changes the regime of benefits for reformed criminals;

(c) Decree Law 25643 (25 July 1992): prohibits the unrestricted import and marketing of ammonium nitrate and provides that cases of the illegal possession and use of ammonium nitrate in terrorist attacks are to be tried in closed military courts;

(d) Decree Law 25659 (13 August 1992): categorizes the acts of directing terrorist organizations, forming cells for destructive purposes, participating in large-scale attacks and supplying or storing explosives as treachery against the motherland;

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* A/48/150/Corr.1.

1/ May be consulted in room S-3673.

(e) Decree Law 25660 (13 August 1992): eliminates expiry periods for warrants for the crimes of terrorism and drug trafficking;

(f) Supreme Resolution 114-92-JUS (14 August 1992): approves the regulations for visits to persons imprisoned for the crime of terrorism;

(g) Decree Law 26708 (2 September 1992): establishes procedural provisions for trials for the crime of treachery against the motherland;

(h) Decree Law 25728 (10 September 1992): authorizes judges to convict defendants in absentia for the crimes of terrorism and treachery against the motherland;

(i) Decree Law 25744 (27 September 1992): empowers the national anti-terrorism office to seek authorization to extend for up to 30 days the time-limit for the investigation of crimes of treachery against the motherland;

(j) Decree Law 25824 (6 November 1992): modifies article 137 of the Criminal Code to make 30 days the maximum period of custody in cases of terrorism;

(k) Decree Law 25880 (26 September 1992): extends the scope of Decree Law 25659 to include cases of incitement within the regime of the crime of treachery against the motherland;

(l) Decree Law 25916 (27 November 1992): reaffirms the prohibition on granting procedural and prison privileges to those imprisoned for the crime of terrorism;

(m) Supreme Decree 015-93-JUS (8 May 1993): approves the regulations of the law on reformed criminals.

I should be very grateful if you would arrange for the text of this letter to be circulated as an official document of the General Assembly under item 115 of the provisional agenda.

(Signed) Fernando GUILLEN SALAS
Ambassador
Permanent Representative of
Peru to the United Nations